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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,116	04/08/2004	Lan-Shi Huang	3624-0163PUS1	8640
2292	7590	07/14/2005		
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
			EXAMINER	
			SCHRODE, WILLIAM THOMAS	
			ART UNIT	PAPER NUMBER
			3676	

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/820,116

Applicant(s)

HUANG ET AL.

Examiner

William Schrode

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 April 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: Examiner's Attachment.

## DETAILED ACTION

### *Drawings*

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. The described V-shaped groove on the restraining plate lacks a V-shape and appears to be a groove with notches. Therefore, the described V-shaped groove on the restraining plate and the latch assembly must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Kim et al. (US 6,425,273). Kim et al. discloses a locking device as claimed (See FIG. 1-4 and respective portions of the specification). Referring to claim 1, Kim et al. discloses a lock including a rose (rose 8) with a first side (front surface), a second side (back surface), and two positioning plates (plates 32) provided on the second side of the rose; a handle (handle 16) rotatably extending through the rose; a spindle (spindle 12) including a first end securely attached to the handle and a second end; and a return disc (disc 48) mounted to second end of the spindle, the return disc including an annular wall and a notch, a return spring (spring 20) received in the annular wall and extending through the notch of the return disc, with two ends of the return spring being respectively attached to the positioning plates of the rose for returning the handle.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1, 3, 6, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lin (5,372,025) in view of Kim et al. (US 6,425,273). Referring to claim 1, Lin discloses a lock (See FIG. 1-5 and respective portions of the specification) including a rose (rose 20) with a first side (front surface), a second side (back surface), and two positioning plates (plates 20a) provided on the second side of the rose; a handle (handle 2) rotatably extending through the rose; a spindle (spindle 25) including a first end securely attached to the handle and a second end; a return disc (disc 31) mounted to second end of the spindle, a return spring (spring 32) with two ends respectively attached to the positioning plates of the rose (Fig. 2) for returning the handle. Lin does not teach that the return disc includes an annular wall and a notch, and a return spring received in the annular wall and extending through the notch of the return disc. Kim et al. (See FIG. 1-4 and respective portions of the specification) discloses a return disc including an annular wall and a notch, a return spring (spring 20) received in the annular wall and extending through the notch of the return disc. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included a return disc with an annular wall and a notch, a return spring (spring 20) received in the annular wall and extending through the notch of the return disc as disclosed by Kim et al. in the locking device disclosed by Lin, for the advantage of holding the spring in position and eliminating unnecessary contact between the spring and other functioning parts.

Referring to claim 3, Lin in view of Kim et al. (See Lin's FIG. 1-5 and respective portions of the specification) discloses a lock wherein the first side of the rose includes a

neck (Examiner Attachment, Figure 3 20b), the handle being rotatably extended through the neck, the second side of the rose including at least one positioning groove (groove 27), a restraining plate (plate 36) and a spring (spring 35) being mounted in the spindle, the restraining plate being slidable along an axial direction of the spindle, the restraining plate including at least one engaging piece (lug 362) that is releasably engaged in said at least one positioning groove of the rose for prohibiting rotation of the handle.

Referring to claim 6, Lin in view of Kim et al. (See Lin's FIG. 1-5 and respective portions of the specification) discloses a lock further including an actuating member (member 33) including a first end securely connected to the return disc and a end connected a latch assembly.

Referring to claim 8, Lin in view of Kim et al. (See Lin's FIG. 1-5 and respective portions of the specification) discloses a lock wherein the return spring is coaxially received in the annular wall of the return disc.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lin (5,372,025) in view of Kim et al. (US 6,425,273) as applied to claim 1 above, and further in view of Gao (5,666,833). Lin fails to show a return disc that includes a flange, and wherein the rose includes a stepped portion for engaging with the flange of the return disc. Gao et al. (See FIG. 1-13 and respective portions of the specification) teaches a reinforcing apparatus for a lever handle of a door lock that has a return disc (disc 4) that includes an annular flange (flange 44) used to engage the stepped portions (322) of a rose. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a return disc with a flange that engages with a stepped

portion of a rose as disclosed by Gao in the locking device as disclosed by Lin in view of Kim et al., for the advantage of limiting the number of parts and ease of manufacturing.

Claims 4, 5, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lin (5,372,025) in view of Kim et al. (US 6,425,273) as applied to claim 3 above, and further in view of Kuo et al. (5,788,296). Referring to claim 4, Lin in view of Kim et al. (See Lin's FIG. 1-5 and respective portions of the specification) discloses a lock further including a lock core assembly (23) and a locking/unlocking bar (bar 37) mounted to the handle, the locking/unlocking bar being rotatably extended through the spindle, the locking/unlocking bar restraining plate (plate 36), and the return disc. Lin in view of Kim et al. fails to show the restraining plate including at least one V-shaped groove for cooperating with the locking/unlocking bar to control axial position of the restraining plate. Since inventor failed to show a V-shape as best understood Kuo et al. (See FIG. 1-11 and respective portions of the specification) teaches a restraining plate (plate 2) including at least one V-shaped groove for cooperating with the locking/unlocking bar to control axial position of the restraining plate. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a restraining plate (plate 2) including at least one V-shaped groove as disclosed by Kuo et al. in the locking device disclosed by Lin in view of Kim et al., for cooperating with the locking/unlocking bar to control axial position of the restraining plate.

Referring to claim 5, Lin in view of Kim et al. in further view of Kuo et al. (See Lin's FIG. 1-5 and respective portions of the specification) discloses a lock wherein the

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locking/unlocking bar includes at least one lobe (lobe 372) for cooperating with said at least one V-shaped groove to control axial position of the restraining plate.

Referring to claim 7, Lin in view of Kim et al. in further view of Kuo et al. (See Lin's FIG. 1-5 and respective portions of the specification) discloses a lock wherein the restraining plate includes an elongated hole (361) through which the locking/unlocking bar extends.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 4,557,584 to Shih                      U.S. Pat. No. 6,807,833 to Huang et al.

U.S. Pat. No. 5,820,178 to Ellis et al.              U.S. Pat. No. 6,584,816 to Lee

U.S. Pat. No. 3,075,796 to Russell et al.      U.S. Pat. No. 6,644,077 to Huang

U.S. Pat. No. 5,794,472 to Kester et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William Schrode whose telephone number is (571) 272-1647. The examiner can normally be reached on Mon-Fri 9 AM-6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on (571) 272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-272-7049.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

WS  
07/06/05

A handwritten signature in black ink, appearing to read "Brian E. Glessner", with a long horizontal flourish extending to the right.

**BRIAN E. GLESSNER**  
**PRIMARY EXAMINER**

# Examiner's Attachment

U.S. Patent

Dec. 13, 1994

Sheet 3 of 4

5,372,025

